

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IVY NIXON, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

CVS HEALTH CORPORATION, KAREN S.  
LYNCH, SHAWN GUERTIN, and THOMAS  
F. COWHEY,

Defendants.

Case No. 1:24-cv-05303-MMG

**JOINT STIPULATION AND  
ORDER REGARDING  
WAIVER OF SERVICE AND  
DEADLINES FOR FILING AMENDED  
COMPLAINT AND RESPONSES  
THERE TO**

Lead Plaintiffs Louisiana Sheriffs' Pension & Relief Fund, Southeastern Pennsylvania Transportation Authority, and City of Miami Fire Fighters' and Police Officers' Retirement Trust (collectively, "Lead Plaintiffs"), and CVS Health Corporation, Karen S. Lynch, Shawn M. Guertin, and Thomas F. Cowhey ("Defendants" and, together with Lead Plaintiffs, the "Parties"), through their undersigned counsel of record, hereby stipulate and agree as follows:

**WHEREAS**, on July 12, 2024, Ivy Nixon filed a securities class action alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the "Exchange Act") and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5, against Defendants, captioned *Nixon v. CVS Health Corporation*, No. 1:24-cv-05303-MMG (ECF No. 1);

**WHEREAS**, on September 6, 2024, Orlando Tatone filed a securities class action alleging violations of Sections 10(b) and 20(a) of the Exchange Act and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5, against Defendants, captioned *Tatone v. CVS Health Corporation*, No. 1:24-cv-06771-MMG (ECF No. 1);

**WHEREAS**, on September 10, 2024, pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA"), Lead Plaintiffs filed a motion seeking appointment as lead plaintiffs

and approval of their selection of lead counsel in the above-captioned action (ECF Nos. 15-16);

**WHEREAS**, on October 25, 2024, the Court consolidated *Nixon v. CVS Health Corporation*, No. 1:24-cv-05303-MMG, and *Tatone v. CVS Health Corporation*, No. 1:24-cv-06771-MMG, under the above-captioned action (ECF No. 32);

**WHEREAS**, on December 5, 2024, the Court appointed Lead Plaintiffs as lead plaintiffs and approved Lead Plaintiffs' selection of Bernstein Litowitz Berger & Grossmann LLP and Bleichmar Fonti & Auld LLP as Lead Counsel, and ordered that, within fourteen (14) days, the Parties shall jointly submit a proposed schedule for filing any amended complaint, Defendants' answer, opposition, or response thereto, and, if necessary, deadlines for oppositions and replies for any contemplated motions to dismiss (ECF No. 33);

**WHEREAS**, Lead Plaintiffs intend to file an amended complaint; and

**WHEREAS**, the Parties in the above-captioned action have conferred and agreed regarding waiver of service and to adopt a schedule for Lead Plaintiffs to file their amended complaint and for Defendants' response(s) thereto.

**NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE**, by and through their undersigned counsel, as follows:

1. Upon filing in the above-captioned case, Defendants will be deemed to accept service of Lead Plaintiffs' forthcoming amended complaint, without waiver of any defenses, objections, or arguments, except as to sufficiency of service.
2. Lead Plaintiffs shall file their forthcoming amended complaint on or before March 4, 2025.
3. Defendants shall answer, move, or otherwise respond to the amended complaint on or before May 9, 2025.

4. Should Defendants move to dismiss the amended complaint, Lead Plaintiffs shall file their opposition(s) on or before July 11, 2025.

5. Defendants shall file their reply or replies on or before August 25, 2025.

6. All electronic signatures (“/s/”) are signed with consent of counsel pursuant to Rule 8.5 of this Court’s Electronic Case Filing Rules & Instructions updated as of July 24, 2023.

Given the unusually generous timing of the parties' schedule, the parties are advised that no extensions of the deadlines established through this Order will be granted, absent compelling circumstances that could not have been expected as of the date of this Order.

Dated: December 18, 2024

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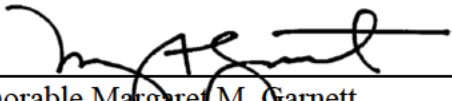
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*Additional Counsel for Southeastern  
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**IT IS SO ORDERED.**

DATED: December 19, 2024

  
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Honorable Margaret M. Garnett  
United States District Judge